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BMW BANK OF NORTH AMERICA

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:	)	Case No. 19-17398-btb
	)	(Chapter 7 Proceeding)
PERLA MARIA MEREZKO	)	MOTION FOR RELIEF FROM
Debtor.	)	AUTOMATIC STAY
	)	Hearing Date: 10/06/2020
	)	Hearing Time: 10:00 AM
	)	Address: Courtroom 4 (2nd Floor)
	)	Foley Federal Building
	)	300 Las Vegas Boulevard South
	)	Las Vegas, NV 89101
	)	Judge: BRUCE T. BEESLEY

MOTION FOR RELIEF FROM AUTOMATIC STAY

BMW Bank of North America and its successors and/or assigns ("Movant"), by and through its counsel of record, Martin L. Welsh, hereby moves this Court, pursuant to 11 U.S.C. § 362 for an Order Terminating the Automatic Stay as it pertains to certain personal property described as a 2015 MINI Hardtop 4 Door Cooper S Hatchback 4D ("Collateral").

This Motion is based upon the attached Memorandum of Points and Authorities, the §362 Information Sheet, filed concurrently herewith, and the documents filed in support of the Motion.

1 Prior to filing this Motion, the Debtor's counsel was contacted by email on August 19,
2 2020, to determine if the matter could be resolved without the necessity to file the Motion. No
3 resolution was achieved. Therefore, the Movant has no alternative but to proceed with this Motion.

4 Dated: 08/28/2020

Respectfully submitted:

5 By: /s/ Martin L. Welsh

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MEMORANDUM OF POINTS AND AUTHORITIES

I.

INTRODUCTORY STATEMENT

BMW Bank of North America respectfully requests that the Court grant it relief from the automatic stay in reference to 2015 MINI Hardtop 4 Door Cooper S Hatchback 4D VIN # WMWXU3C51F2B57822 (“Collateral”) on the ground that Perla Maria Merezko (“Debtor”) is in default and the Debtor has no equity in the Collateral. The Movant alleges as follows:

II.

STATEMENTS OF FACTS

1. The Secured Debt. The Debtor is a borrower under a simple interest contract (“Contract”) secured by a title (“Title”) on the personal property commonly known as a 2015 MINI Hardtop 4 Door Cooper S Hatchback 4D VIN # WMWXU3C51F2B57822 (“Collateral”). True and correct copies of the Contract and Title to the Collateral are attached hereto as Exhibits “1” and “2”.

2. The Default under the Contract. The Debtor is in default in sum of \$3,445.71. As a result of the default, the Movant desires to repossess the Collateral and sell the Collateral in a commercially reasonable manner in satisfaction of the secured debt.

3. The Debtor’s Interest in the Collateral. The Debtor Perla Maria Merezko is the owner of the Collateral. However, pursuant to the Kelley Blue Book Valuation (“KBB”) industry valuation, the Debtor maintains no equitable interest in the Collateral, nor does it appear that the Collateral would be necessary for reorganization as the case has converted to Chapter 7. As a result, absent a reaffirmation or redemption of the Movant’s interest, the stay must be lifted.

Dated: 08/28/2020

Respectfully submitted:

By: /s/ Martin L. Welsh

Martin L. Welsh

Attorney for Movant

BMW Bank of North America